

## Combined Declaration for Patent Application and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled (insert full title here) Gene expression enhancer for protein synthesis regulatory gene

the specification of which (check one)

☐ is attached hereto;

☒ was filed in the United States under 35 U.S.C. §111 on September 26, 2001, as USSN                     ; or

☐ was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of an intentional (PCT) application, PCT/                     ; filed                     , entry requested on                     ; national stage application received USSN                     ; §371/§102(e) date                      (\*if known), and was amended on                      (if applicable).

(include dates of amendments under PCT Art. 19 and 34 if PCT)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; and I acknowledge the duty to disclose to the Patent and Trademark Office (PTO) all information known by me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119, 365 of any prior foreign application(s) for patent or inventor's certificate, or prior PCT application(s) designating a country other than the U.S., listed below with the "Yes" box checked and have also identified below any such application having a filing date before that of the application on which priority is claimed:

<u>328539/2000</u>	<u>Japan</u>	<u>27th October 2000</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day Month Year Filed)	YES	NO
<u>116710/2001</u>	<u>Japan</u>	<u>16th April 2001</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day Month Year Filed)	YES	NO
<u>                    </u>	<u>                    </u>	<u>                    </u>	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day Month Year Filed)	YES	NO

I hereby claim the benefit under 35 U.S.C. § 120 of any prior U.S. non-provisional Application(s) or prior PCT application(s) designating the U.S. listed below, or under § 119(e) of any prior U.S. provisional applications listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application and the national filing date of this application:

<u>                    </u>	<u>                    </u>	<u>                    </u>
(Application Serial NO.)	(Day Month Year Filed)	(Status: patented, pending, abandoned)

I hereby appoint the following attorneys, with full power of substitution, association, and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SHERIDAN NEIMARK, REG. NO. 20,520 - ROGER L. BROWDY, REG. NO. 25,618 - ANNE M. KORNBAU, REG. NO. 25,884  
 NORMAN J. LATKER, REG. NO. 19,963 - IVER P. COOPER, REG. NO. 28,005 - ALLEN C. YUN, REG. NO. 37,971\*  
 NICK S. BROMER, REG. NO. 33,478 - \*Patent Agent

ADDRESS ALL CORRESPONDENCE TO BROWDY AND NEIMARK, P.L.L.C. 624 Ninth Street, N.W. Washington, D.C. 20001-5303	DIRECT ALL TELEPHONE CALLS TO: BROWDY AND NEIMARK (202) 628-5197
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The undersigned hereby authorizes the U.S. Attorneys or Agents named herein to accept and follow instructions from SUMA PATENT OFFICE as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. Attorney or Agent and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents named herein will be so notified by the undersigned.

Page 2 of 2 Atty.Docket:  
Title: Gene expression enhancer for protein synthesis regulatory gene

U.S. Application filed on September 26, 2001, Serial No. \_\_\_\_\_  
PCT Application filed \_\_\_\_\_, Serial No. \_\_\_\_\_

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR Yoshiaki YANAI	INVENTOR'S SIGNATURE <i>Yoshiaki Yanai</i>	DATE Oct. 4, 2001
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POST OFFICE ADDRESS c/o Kabushiki Kaisha Hayashibara Seibutsu Kagaku Kenkyujo 2-3, Shimoishii 1-chome, Okayama-shi, Okayama, Japan		
FULL NAME OF SECOND JOINT INVENTOR Osamu SANO	INVENTOR'S SIGNATURE <i>Osamu Sano</i>	DATE Oct. 4, 2001
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FULL NAME OF THIRD JOINT INVENTOR Masashi KURIMOTO	INVENTOR'S SIGNATURE <i>Masashi Kurimoto</i>	DATE Oct. 4, 2001
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FULL NAME OF FOURTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF FIFTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF SIXTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		

ALL INVENTORS MUST REVIEW APPLICATION AND DECLARATION BEFORE SIGNING. ALL ALTERATIONS MUST BE INITIALED AND DATED BY ALL INVENTORS PRIOR TO EXECUTION. NO ALTERATIONS CAN BE MADE AFTER THE DECLARATION IS SIGNED. ALL PAGES OF DECLARATION MUST BE SEEN BY ALL INVENTORS.

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